FARAD CONTINUATION SHEET NO
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE
CRIMINAL APPLICATION NO. 2499 OF 2003
IN
CRIMINAL APPEAL NO. 111 OF 2003

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. F.R. Shaikh for the State.

Mr. Deepak Girme and Vipin Bidkar for the Respondent No.1.

Ms. Smita Gaidhani for the Respondent No.2.

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CORAM : S.S.PARKAR &
R.S. MOHITE, JJ.
DATED : 31ST AUGUST,2004.

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P.C.

1. This is an application for condonation of delay filed on behalf of the State. There is delay of 35 days in filing the appeal against the acquittal in a murder case. Delay of 35 days has taken place at the various levels. The impugned order is dated 24.7.2002. Thereafter, certified copy was obtained and the recommendation was sent by the

concerned Public Prosecutor of the Sessions Court to the Government. After perusal of the papers by the Government, case papers were forwarded to the office of the Public prosecutor, High Court, Bombay on 2.1.2003 alongwith G.R. for filing the appeal in the High Court. Thereafter, appeal came to be filed on 27.1.2003 in this court. Considering the aforesaid aspects, we are inclined to condone the delay since it is an appeal filed against the order of acquittal in a case of gang rape and murder.

2. In the result, delay in filing the appeal is condoned and the application is allowed.

(S.S.PARKAR, J.)

(R. S. MOHITE, J.)